IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.3204 OF 2006

Sairabanu Khan Mohd H. @ Master Bhajiwala ...Appellant
vs.
Municipal Corporation of Greater Mumbai ...Respondent

Mr.R.M.Ashataq for the Appellant
Mr.J.J.Xavier for the Respondent-B.M.C.

CORAM: A.S.OKA,J.
DATE : JANUARY 24,2007.

P.C.:

1. The learned Advocate for the Appellant on instructions of the Appellant seeks permission to withdraw this Appeal unconditionally with liberty to make a representation to the Respondent or any other authority for providing alternate accommodation in lieu of the suit structure which was demolished.

2. Appeal is dismissed as withdrawn with liberty as prayed.

3. If an Application is made by the Appellant in terms of the liberty granted by this order, the said application shall be decided by the concerned authority of the Respondent-Corporation within a period of eight weeks from the date of receipt of the Application. The concerned Authority will communicate the order passed on the Application, to the Appellant within a period of two weeks from the date of order.

4.It is made clear that the prayer made in such Application will be considered on its own merits without being influenced by the disposal of the suit filed by the Appellant.

5. There will be no order as to costs.

JUDGE